

**Notice of Allowability**

Application No.

09/843,426

Applicant(s)

DOROFEEV ET AL.

Examiner

Lilian Vo

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 8/10/05.
2. ☒ The allowed claim(s) is/are 1, 2, 4 - 6, 8 - 10 and 12 now renumbered as 1 - 9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10282005.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*[Signature]*  
SUPERVISOR, PATENT EXAMINER  
ART UNIT 2195

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Lord, registration no. 46,479 on 10/26/05.

3. The application has been amended as follows:

In the claims:

i) **Delete claims 3, 7 and 11.**

ii) **Replace claim 1:**

**Claim 1 (Currently Amended):** A computer implemented method for allocating a percentage of system resources among a plurality of process groups in a computer system, said computer system comprising a plurality of central processing units, said plurality of central processing units bind into a plurality of processor sets, said method comprising:

assigning each of said plurality of process groups a number of shares of at least one of the plurality of processor sets, wherein the number of shares represent a relative importance of each of said plurality of process groups within its at least one of the plurality of processor sets; and

allocating said system resources of said plurality of processor sets to each of said plurality of process groups associated with said at least one of the plurality of processor sets according to the number of shares assigned to each of said plurality of process groups associated with said at least one of the plurality of processor sets, wherein said allocating system resources comprises implementing fair-share scheduling independently within each of said plurality of processor sets, wherein implementing fair-share scheduling comprises assigning each of said plurality of process groups a fixed number of shares of said system resources,

wherein said percentage of said system resources is calculated based on a ratio of the number of shares assigned to said each of said process groups to a total number of shares of all active process groups within each of said at least one of the plurality of processor sets.

iii) **Replace claim 5:**

**Claim 5** (Currently Amended): A computer readable medium embodying a program for allocating a percentage of system resources among a plurality of process groups in a computer system, said computer system comprising a plurality of central

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processing units, said plurality of central processing units bind into a plurality of processor sets, said program comprising:

assigning each of said plurality of process groups a number of shares of at least one of the plurality of processor sets, wherein the number of shares represent a relative importance of each of said plurality of process groups within its at least one of the plurality of processor sets; and

allocating said system resources of said plurality of processor sets to each of said plurality of process groups associated with said at least one of the plurality of processor sets according to the number of shares assigned to each of said plurality of process groups associated with said at least one of the plurality of processor sets, wherein said allocating system resources comprises implementing fair-share scheduling independently within each of said plurality of processor sets, wherein implementing fair-share scheduling comprises assigning each of said plurality of process groups a fixed number of shares of said system resources,

wherein said percentage of said system resources is calculated based on a ratio of the number of shares assigned to said each of said process groups to a total number of shares of all active process groups within each of said at least one of the plurality of processor sets.

iv) **Replace claim 9:**

**Claim 9** (Currently Amended): A computer system comprising at least a central processing unit and a memory, said memory storing a program for allocating a percentage

of system resources among a plurality of process groups in a computer system, said computer system comprising a plurality of central processing units, said plurality of central processing units bind into a plurality of processor sets, said program performs the method comprising:

assigning each of said plurality of process groups a number of shares of at least one of the plurality of processor sets, wherein the number of shares represent a relative importance of each of said plurality of process groups within its at least one of the plurality of processor sets; and

allocating said system resources of said at least one of the plurality of processor sets to each of said plurality of process groups associated with said at least one of the plurality of processor sets according to the number of shares assigned to each of said plurality of process groups associated with said at least one of the plurality of processor sets, wherein said allocating system resources comprises implementing fair-share scheduling independently within each of the plurality of processor sets, wherein implementing fair-share scheduling comprises assigning each of said plurality of process groups a fixed number of shares of said system resources,

wherein said percentage of said system resources is calculated based on a ratio of the number of shares assigned to said each of said process groups to a total number of shares of all active process groups within each of said at least one of the plurality of processor sets.

4. Pursuant to MPEP 606.01, the title has been changed to read: -- SYSTEM USING FAIR-SHARE SCHEDULING TECHNIQUE TO SCHEDULE PROCESSES WITHIN EACH

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PROCESSOR SET BASED ON THE NUMBER OF SHARES ASSIGNED TO EACH  
PROCESS GROUP--.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilian Vo whose telephone number is 571-272-3774. The examiner can normally be reached on Monday - Friday, 8am - 4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist at 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lilian Vo  
Examiner  
Art Unit 2195

lv  
October 28, 2005

  
MENG-AI T. AN  
SUPERVISOR, PATENT EXAMINER